

Attorney Docket No. ZIP 2382

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## CHAPTER II

### TRANSMITTAL LETTER TO THE UNITED STATES ELECTED OFFICE (EO/US)

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

<u>PCT/DE00/02081</u>	<u>23 June 2000 (23.06.00)</u>	<u>22 June 1999 (22.06.99)</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

APPLIANCE FOR DISPENSING SCENTS AND AN AROMA STORE (SCENT CHIP)

TITLE OF INVENTION

Stefan RUETZ (Munich, Germany)  
Peter SCHATZ (Karlsfeld, Germany)  
Heinz WAGENSONNER (Obersuessbach, Germany)  
Gerhard PROBST (Munich, Germany)  
Christian BREU (Garching, Germany)

APPLICANT(S)

Box PCT  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Attention: EO/US

1. This national phase application claims priority of the following national application(s):

German Patent Application No. 199 28 592.6 filed June 22, 1999  
German Patent Application No. 100 18 914.8 filed April 17, 2000

2. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 USC 371:

- A. ☒ This express request to immediately begin national examination procedures (35 USC 371(f)).
- B. ☒ The U.S. National Fee (35 USC 371(c)(1) and other fees (37 CFR 1.492) indicated in the attached fee calculation sheet.

3. ☒ A copy of the International application as filed [35 USC 371(c)(2)]:

- a. ☐ is transmitted herewith.

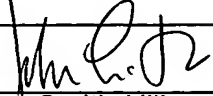
- b. ☐ is not required as the application was filed with the United States Receiving Office.
- c. ☒ has been transmitted
- i. ☒ by the International Bureau. Date of mailing of the application (from form PCT/IB/308): 28 December 2000 (28.12.00).
- ii. ☐ by applicant on (date) \_\_\_\_\_.
4. ☒ A translation of the International application into the English language [35 USC 371(c)(2)]:
- a. ☐ is transmitted herewith.
- b. ☐ is not required as the application was filed in English.
- c. ☐ was previously transmitted by applicant on (date) \_\_\_\_\_.
- d. ☒ will follow (within 32 months of earliest priority date).
5. ☐ Amendments to the claims of the International application under PCT Article 19 [35 USC 371(c)(3)]:
- a. ☐ are transmitted herewith.
- b. ☐ have been transmitted
- i. ☐ by the International Bureau. Date of mailing of the amendment (from form PCT/IB/308): \_\_\_\_\_.
- ii. ☐ by applicant on (date) \_\_\_\_\_.
- c. ☐ have not been transmitted as
- i. ☐ applicant chose not to make amendments under PCT Article 19. Date of mailing of Search Report (from form PCT/ISA/210): \_\_\_\_\_.
- ii. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.
6. ☐ A translation of the amendments to the claims under PCT Article 19 [35 USC 371(c)(3)]:
- a. ☐ is transmitted herewith.
- b. ☐ is not required as the amendments were made in the English language.

- c. ☐ has not been transmitted for reasons indicated at point 5c above.
7. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409)
- a. ☒ is transmitted herewith.
- b. ☐ is not required as the application was filed with the United States Receiving Office.
8. ☒ Annex(es) to the International Preliminary Examination Report
- a. ☐ is/are transmitted herewith.
- b. ☐ is/are not required as the application was filed with the United States Receiving Office.
- c. ☒ is/are not being transmitted as there is/are no Annex(es).
9. ☒ A translation of the annexes to the International Preliminary Examination Report
- a. ☐ is transmitted herewith.
- b. ☐ is not required as the annexes are in the English language.
- c. ☒ is not being transmitted for the reason indicated at point 8c above.
10. ☒ An oath or declaration of the inventor [35 USC 371(c)(4)] complying with 35 USC 115
- a. ☐ was previously submitted by applicant on (date) \_\_\_\_\_.
- b. ☒ is submitted herewith and such oath or declaration
- i. ☐ is attached to the application
- ii. ☒ identifies the application and any amendments under PCT Article 19 which were transmitted as stated in points 5a or b; and states that they were reviewed by the inventor as required by 37 CFR 1.70.
- c. ☐ will be provided in response to a Notice to File Missing Requirements.
11. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):
- a. ☐ is transmitted herewith.
- b. ☒ has been transmitted by the International Bureau. Date of mailing (from form PCT/IB/308): 28 December 2000 (28.12.00).
- c. ☐ is not required as the application was searched by the United States International Searching Authority.

- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on (date) \_\_\_\_\_.
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98:
- a. ☐ is transmitted herewith.
- Also transmitted herewith is
- ☐ Form PTO-1449
- ☐ Copies of citations listed
- b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 USC 371(c).
- c. ☐ was previously submitted by applicant on (date) \_\_\_\_\_.
13. ☒ The applicant claims small entity status with respect to this application.
- ☐ A Verified Statement Claiming Small Entity Status is attached.
- ☒ The undersigned claims small entity status on behalf of the applicant.
14. ☐ An assignment document is transmitted herewith for recording. A separate ☐ "RECORDATION COVER SHEET" is also attached.
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15. ☒ Additional documents
- a. ☐ Copy of request (PCT/RO/101)
- b. ☒ International Publication No. WO 00/78367
- i. ☐ Specification, claims and drawing
- ii. ☒ Front page only
- c. ☐ Preliminary amendment
- d. ☒ Abstract
- e. ☐ Other
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16. ☒ The above checked items are being transmitted
- a. ☒ before 30 months from any claimed priority date.

b. ☐ after 30 months but before 32 months (surcharge and/or processing fee included) from any claimed priority date.

17. ☐ Certain requirements under 35 USC 371 were previously submitted by the applicant on \_\_\_\_\_, namely:

\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
John Smith-Hill  
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.  
12670 N.W. Barnes Road, Suite 104  
Portland, Oregon 97229

(503) 574-3100

FEE CALCULATION SHEET  
Entry into the National Phase of PCT/DE00/02081

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
* [ ]	TOTAL CLAIMS	-20 =		x \$ 18 =	\$
	INDEPENDENT CLAIMS	- 3 =		x \$ 84 =	\$
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280 =	\$
BASIC FEE	<input type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an international preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO:  <input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national state (37 CFR 1.492(a)(4)) \$100  <input type="checkbox"/> and the above requirements are not met (37 CFR 1.492(a)(1)) \$710  <input checked="" type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO:  <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2)) \$740  <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3)) \$1,040  <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5)) \$890				890
OTHER FEES	Surcharge of \$130 for furnishing the oath or declaration later than 30 months (but no later than 32 months) from any claimed priority date (37 CFR 1.492(e) and 37 CFR 1.495(c)).				+
	Total of above Calculations				= 890
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 CFR 1.9, 1.27, 1.28)				- 445
	Subtotal				445
	Processing fee of \$130 for furnishing the English Translation later than 30 months (but not later than 32 months) from any claimed priority date (37 CFR 1.492(f) and 37 CFR 1.495(c)).				+ 130
	National Fee				\$ 575
	Fee for recording the enclosed assignment document \$40 (37 CFR 1.21(h)).				+
TOTAL	TOTAL FEES ENCLOSED				\$ 575

See attached Preliminary Amendment.

[x] A check in the amount of \$575 to cover the above fees is enclosed.

[x] Please charge any additional basic filing fees under 37 CFR 1.492(a) which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2560. This sheet is filed in duplicate.

*Penelope Stockwell*  
Penelope Stockwell

FEE CALCULATION SHEET  
Entry into the National Phase of PCT/DE00/02081

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	Subtotal				445
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	National Fee				\$ 575
	Fee for recording the enclosed assignment document \$40 (37 CFR 1.21(h)).				+
TOTAL	TOTAL FEES ENCLOSED				\$ 575

\* See attached Preliminary Amendment.

[x] A check in the amount of \$575 to cover the above fees is enclosed.

[x] Please charge any additional basic filing fees under 37 CFR 1.492(a) which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2560. This sheet is filed in duplicate.

*Penelope Stockwell*  
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